

State of Utah
Administrative Rule Analysis

NOTICE OF PROPOSED RULE

The agency identified below in box 1 provides notice of proposed rule change pursuant to *Utah Code* Sections 63-46a-4. Please address questions regarding information on this notice to the agency. The full text of all rule filings is published in the *Utah State Bulletin* unless excluded because of space constraints. The full text of all rule filings may also be inspected at the Division of Administrative Rules.

DAR file no:		Date filed:	
Utah Admin. Code ref. (R no.):	R156-70a	Time filed:	
Changed to Admin. Code Ref. (R no.):			
1.	Agency: Commerce/Division of Occupational and Professional Licensing		
	Room no.:		
	Building: Heber M. Wells Building		
	Street address 1: 160 East 300 South		
	Street address 2:		
	City, state, zip: Salt Lake City UT 84111-2316		
	Mailing address 1: PO Box 146741		
	Mailing address 2:		
	City, state, zip: Salt Lake City UT 84114-6741		
	Contact person(s):		
	Name:	Phone:	Fax:
	Diana Baker	801-530-6179	801-530-6511
(Interested persons may inspect this filing at the above address or at DAR between 8:00 a.m. and 5:00 p.m. on business days.)			
2.	Title of rule or section (catchline):		
	Physician Assistant Practice Act Rules		
3.	Type of notice:		
	New ____; Amendment XX Repeal ____; Repeal and Reenact ____		
4.	Purpose of the rule or reason for the change:		
	The Division and the Physician Assistant Licensing Board are proposing amendments to the rule to add additional continuing education programs that would meet criteria for obtaining 40 hours of required continuing education during every two year licensure cycle.		
5.	This change is a response to comments from the Administrative Rules Review Committee.		
	Yes ____; No XX		
6.	Summary of the rule change:		
	Sections 103 and 104: Statute and rule citations are corrected. Section 304-Continuing Education: Amendments are added that continuing professional education hours can now be obtained through approved programs sponsored by the American Academy of Physician Assistants (AAPA) and programs approved by other health-related continuing education approval organizations, provided the continuing education is nationally recognized by a healthcare accredited agency and the education is related to the practice as a physician assistant. These additional programs are in addition to category 1 offerings as established by the Accreditation Council for Continuing Medical Education (ACCME) which is already in the rule.		
7.	Aggregate anticipated cost or savings to:		

	A) State budget: The Division will incur minimal costs of approximately \$75 to reprint the rule once the proposed amendments are made effective. Any costs incurred will be absorbed in the Division's current budget.																			
	B) Local government: Proposed amendments do not apply to local governments; therefore, no costs or savings are anticipated. Proposed amendments only apply to licensed physician assistants.																			
	C) Other persons: Proposed amendments only apply to licensed physician assistants of which there are currently 545. The Division anticipates there will be some savings to licensed physician assistants as a result of the proposed amendments since licensees will have greater access to continuing education programs in-state; they may attend AAPA meetings or other healthcare related meetings for continuing education credits rather than just category I medical education courses which tend to be more expensive. The Division is unable to determine how much savings each licensed physician assistant might realize due to the varying types of courses and costs.																			
8.	Compliance costs for affected persons ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization or any character other than an agency): Proposed amendments only apply to licensed physician assistants. The Division anticipates there will be some savings to licensed physician assistants as a result of the proposed amendments since licensees will have greater access to continuing education programs in-state; they may attend AAPA meetings or other healthcare related meetings for continuing education credits rather than just category I medical education courses which tend to be more expensive. The Division is unable to determine how much savings each licensed physician assistant might realize due to the varying types of courses and costs.																			
9.	Comments by the department head on the fiscal impact the rule may have on businesses: The regulated industry could experience a cost-savings as a result of additional options for continuing education. No other fiscal impact to businesses is anticipated as a result of these amendments. Francine A. Giani, Executive Director																			
10.	This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required): Section 58-70a-101 and Subsections 58-1-106(1)(a) and 58-1-202(1)(a)																			
11.	This rule adds, updates, or otherwise changes the following titles of materials incorporated by references (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank): 																			
12.	The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the <i>Utah State Bulletin</i> . See Section 63-46a-5 and Rule R15-1 for more information.) <table border="1" style="width: 100%;"> <tr> <td colspan="2">A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy):</td> <td>10/02/2006</td> </tr> <tr> <td colspan="3">B) A public hearing (optional) will be held:</td> </tr> <tr> <td>on (mm/dd/yyyy):</td> <td>at (time):</td> <td>At (place):</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>		A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy):		10/02/2006	B) A public hearing (optional) will be held:			on (mm/dd/yyyy):	at (time):	At (place):									
A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy):		10/02/2006																		
B) A public hearing (optional) will be held:																				
on (mm/dd/yyyy):	at (time):	At (place):																		
13.	This rule change may become effective on (mm/dd/yyyy): 10/10/2006 NOTE: The date above is the date on which this rule MAY become effective. It is <i>NOT</i> the effective date. After the date designated in Box 12(A) above, the agency <i>must</i> submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.																			

14.	Indexing information -- keywords (maximum of four, in lower case, except for acronyms (e.g., "NASA") or proper nouns (e.g., "Medicaid")):		
	licensing	physician assistants	
15.	Attach an RTF document containing the text of this rule change (filename):		R156-70a.pro
To the agency: Information requested on this form is required by Sections 63-46a-4, 5, 6, and 10. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the <i>Utah State Bulletin</i> , and delaying the first possible effective date.			
AGENCY AUTHORIZATION			
Agency head or designee, and title:		J. Craig Jackson, Director	Date (mm/dd/yyyy): 08/14/2006

ProposedRule.doc 9/26/2003

R156. Commerce, Occupational and Professional Licensing.

R156-70a. Physician Assistant Practice Act Rules.

R156-70a-103. Authority - Purpose.

These rules are adopted by the division under the authority of Subsection 58-1-106(1) (a) to enable the division to administer Title 58, Chapter 70a.

R156-70a-104. Organization - Relationship to Rule R156-1.

The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-107.

R156-70a-304. Continuing Education.

In accordance with Subsection 58-70a-304(1) (a), the requirements for qualified continuing professional education (CPE) are as follows:

(1) CPE shall consist of 40 hours in each preceding two year licensure cycle in:

(a) category 1 offerings as established by the Accreditation Council for Continuing Medical Education (ACCME); ~~[-in each preceding two year licensure cycle.]~~

(b) approved programs sponsored by the American Academy of Physician Assistants (AAPA); or

(c) programs approved by other health-related continuing education approval organizations, provided the continuing education is nationally recognized by a healthcare accredited agency and the education is related to the practice as a physician assistant.

~~(2) [Offerings or courses must be approved by institutions accredited by the ACCME to approve continuing medical education.~~

~~—(3)—~~ If requested, the licensee shall provide documentation of completed qualified continuing professional education by any of the following means:

(a) certificates from sponsoring agencies;

(b) transcripts of participation on applicable institutions letterhead; or

(c) copy of current national certification by NCCPA.

(~~4~~3) Continuing professional education for licensees who have not been licensed for the entire two year period will be prorated from the date of licensure.

(~~5~~4) A licensee shall be responsible for maintaining competent records of completed continuing professional education for a period of four years after close of the two year period to which the records pertain. It is the responsibility of the licensee to maintain such information with respect to continuing professional education and to demonstrate it meets the requirements under this section.

KEY: licensing, physician assistants

Date of Enactment or Last Substantive Amendment: [~~November 15, 2001~~] 2006

Notice of Continuation: May 2, 2002

Authorizing, and Implemented or Interpreted Law: 58-70a-101; 58-1-106(1) (a); 58-1-202(1) (a)